

Appl. No. 10/632,698
Amdt. dated November 18, 2004
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group

PATENT

REMARKS

OK70 enter
B77 12/6/04

Claims 1 and 43 – 57 stand rejected under the doctrine of obviousness-type double patenting as unpatentable over Claims 1 – 22 of U.S. Pat. No. 6,616,853; and Claim 58 was withdrawn as directed to an unelected invention.

Claim 58 has been canceled and a terminal disclaimer disclaiming any term that extends beyond the term of U.S. Pat. No. 6,616,853 is being filed concurrently herewith. Since the filing of the terminal disclaimer overcomes the double-patenting rejection, it is respectfully believed that Claims 1 and 43 – 57 are now in condition for allowance.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,


Patrick M. Boucher
Reg. No. 44,037

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
PMB:pmb
60359276 v1